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PTO/SB/92 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Application No. (if known): 09/889,085

Attorney Docket No.: 28053/38258

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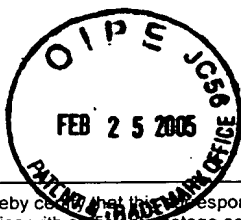
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IDS (Citation) by Applicant (3 References) (1 page)  
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Dated: February 22, 2005 Signature: \_\_\_\_\_

*Jeffrey S. Sharp*  
(Jeffrey S. Sharp)

Docket No.: 28053/38258  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

**Patricia L. CONWAY et al.**

Application No.: 09/889,085

Confirmation No.: 6842

Filed: January 9, 2002

Art Unit: 1651

For: IMPROVED MICROBIAL PREPARATIONS

Examiner: Vera Afremova

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

A copy of each reference on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other

material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

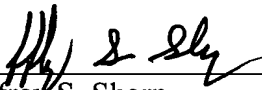
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 28053/38258. A duplicate copy of this paper is enclosed.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP  
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By:

  
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Jeffrey S. Sharp  
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Attorney for Applicants

**February 22, 2005**

804840



PTO/SB/08a/b (08-03)

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<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	09/889,085-Conf. #6842
				Filing Date	January 9, 2002
				First Named Inventor	Patricia L. Conway
				Art Unit	1651
				Examiner Name	Vera Afremova
Sheet	1	of	1	Attorney Docket Number	28053/38258

<b>NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	A	Rendleman, Jr., "Hydrolytic Action Of $\alpha$ -Amylase On High-Amylose Starch Of Low Molecular Mass," Biotechnol. Appl. Biochem. 31:171-178 (2000).	
	B	Woodruff and Nicoli, "Starch Gels," Cereal Chemistry 8:243 (1931).	
	C	Raben et al., "Resistant Starch: The Effect On Postprandial Glycemia, Hormonal Response, and Satiety <sup>1-3</sup> " J. Clin. Nutr. 60: 544-551 (1994).	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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